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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 IN RE: OPTICAL DISK DRIVE PRODUCTS
12 ANTITRUST LITIGATION

Case No. 3:10-md-2143-RS

13 This Document Relates To:

JOINT STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING SERVICE OF
PROCESS

14 Case No. 3:13-cv-1877-RS

15 STATE OF FLORIDA, OFFICE OF THE
16 ATTORNEY GENERAL, DEPARTMENT
17 OF LEGAL AFFAIRS,

Judge Richard Seeborg

Plaintiff,

v.

18 HITACHI-LG DATA STORAGE, INC., et al.,

19 Defendants.

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28 STIPULATION AND [PROPOSED] ORDER RE:
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JOINT STIPULATION

Whereas the Attorney General of the State of Florida (“Florida”) filed an amended complaint in the above-captioned case against defendants Hitachi-LG Data Storage, Inc., Hitachi-LG Data Storage Korea, Inc., Hitachi, Ltd., LG Electronics, Inc., BenQ Corporation, BenQ America Corp., Koninklijke Philips N.V., Lite-On IT Corporation, Philips & Lite-On Digital Solutions Corporation, Philips & Lite-On Digital Solutions USA, Inc., NEC Corporation, Sony Corporation, Sony NEC Optiarc, Inc., Sony Optiarc, Inc., Sony Optiarc America, Inc., Samsung Electronics Co., Ltd., Toshiba Corporation, Toshiba Samsung Storage Technology Corporation, Toshiba Samsung Storage Technology Corporation Korea, Panasonic Corporation, Panasonic Corporation of North America, f/k/a Matsushita Electric Corporation of North America, TEAC Corporation, TEAC America Inc., Pioneer Electronics (USA) Inc., Quanta Storage Inc., Quanta Storage America, Inc., Pioneer North America, Inc., Pioneer Corporation, Pioneer High Fidelity Taiwan Co., LTD. (“Defendants”), on June 28, 2013 (“Complaint”);

Whereas Florida wishes to avoid the burden and expense of serving process on the Defendants; and

Whereas Defendants desire a reasonable amount of time to respond to the Complaint;

Therefore, it is stipulated by and between the undersigned parties, by their representative attorneys, that:

1. Undersigned Counsel of BAKER BOTTS LLP agree to accept service of the complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-1877-RS, on behalf of Defendants Koninklijke Philips N.V., Lite-On IT Corporation, Philips & Lite-On Digital Solutions Corporation, and Philips & Lite-On Digital Solutions USA, Inc.

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(collectively, the “PLDS Defendants”). The PLDS Defendants shall have until Monday, January 13, 2014 to file a response thereto. This stipulation does not constitute a waiver by PLDS Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

2. Undersigned Counsel of ROPES & GRAY LLP agree to accept service of the complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-1877-RS, on behalf of Defendants Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. (collectively, the “HLDS Defendants”). The HLDS Defendants shall have until Monday, January 13, 2014 to file a response thereto. This stipulation does not constitute a waiver by the HLDS Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

3. Undersigned Counsel of DICKSTEIN SHAPIRO LLP agree to accept service of the complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-1877-RS, on behalf of Defendants BenQ Corporation and BenQ America Corp. (collectively, the “BenQ Defendants”). The BenQ Defendants shall have until Monday, January 13, 2014 to file a response thereto. This stipulation does not constitute a waiver by the BenQ Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

4. Undersigned Counsel of LATHAM & WATKINS LLP agree to accept service of the complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-1877-RS, on behalf of Defendants Toshiba Corporation (“Toshiba Corp.”), Toshiba Samsung Storage Technology Corporation (“TSST”), and Toshiba Samsung Storage Technology Korea

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1 Corporation (“TSSTK”). Each of Toshiba Corp., TSST, and TSSTK shall have until Monday,
 2 January 13, 2014 to file a response thereto. This stipulation does not constitute a waiver by any
 3 of Toshiba Corp., TSST, or TSSTK of any defense, including but not limited to those defenses
 4 provided under Federal Rule of Civil Procedure 12.

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 6 5. Undersigned Counsel of NOVAK DRUCE CONNOLLY BOVE + QUIGG LLP
 7 agree to accept service of the complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et*
 8 *al.*, Case No. 3:13-cv-1877-RS, on behalf of Defendants Quanta Storage Inc. and Quanta Storage
 9 America, Inc. (collectively, “Quanta Defendants”). Quanta Defendants shall have until Monday,
 10 January 13, 2014 to file a response thereto. This stipulation does not constitute a waiver by
 11 Quanta Defendants of any defense, including but not limited to those defenses provided under
 12 Federal Rule of Civil Procedure 12.

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 14 6. Undersigned Counsel of O’MELVENY & MYERS LLP agree to accept service of
 15 the complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-
 16 1877-RS, on behalf of Defendant Samsung Electronics Co., Ltd. (“Samsung”). Samsung shall
 17 have until Monday, January 13, 2014 to file a response thereto. This stipulation does not
 18 constitute a waiver by Samsung of any defense, including but not limited to those defenses
 19 provided under Federal Rule of Civil Procedure 12.

20
 21 7. Undersigned Counsel of WINSTON & STRAWN LLP agree to accept service of
 22 the complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-
 23 1877-RS, on behalf of Defendant NEC Corporation (“NEC”). NEC shall have until Monday,
 24 January 13, 2014 to file a response thereto.

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1 8. Undersigned Counsel of EIMER STAHL LLP agree to accept service of the
2 complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-1877-
3 RS, on behalf of Defendant LG Electronics, Inc. (“LG Electronics”). LG Electronics shall have
4 until Monday, January 13, 2014 to file a response thereto.

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6 9. Undersigned Counsel of WINSTON & STRAWN LLP agree to accept service of
7 the complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-
8 1877-RS, on behalf of Defendant Panasonic Corporation and Panasonic Corporation of North
9 America (collectively, “Panasonic Defendants”). Panasonic Defendants shall have until Monday,
10 January 13, 2014 to file a response thereto.

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12 10. Undersigned Counsel of JONES DAY agree to accept service of the complaint in
13 *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-1877-RS, on behalf of
14 Defendants Pioneer Electronics (USA) Inc., Pioneer North America, Inc., Pioneer Corporation,
15 and Pioneer High Fidelity Taiwan Co., LTD. (collectively, the “Pioneer Defendants”). The
16 Pioneer Defendants shall have until Monday, January 13, 2014 to file a response thereto. This
17 stipulation does not constitute a waiver by the Pioneer Defendants of any defense, including but
18 not limited to those defenses provided under Rule 12 of the Federal Rules of Civil Procedure.

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20 11. Undersigned Counsel of DLA PIPER LLP agree to accept service of the
21 complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No. 3:13-cv-1877-
22 RS, on behalf of Defendants TEAC Corporation and TEAC America Inc. (collectively, the
23 “TEAC Defendants”). The TEAC Defendants waive service of the Complaint under Federal
24 Rule of Civil Procedure 4(d). Those TEAC Defendants who reside in foreign countries that are
25 signatories to the Hague Convention shall be deemed served as provided for by that Convention
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28 STIPULATION AND [PROPOSED] ORDER RE:
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1 by sending the Complaint to counsel. This stipulation does not constitute a waiver by the TEAC
 2 Defendants of any other defense under Federal Rule of Civil Procedure 12. The TEAC
 3 Defendants shall have until Monday, January 13, 2014 to file a response thereto.

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 5 12. It is stipulated by and between the undersigned parties, by their respective
 6 attorneys, that Hitachi, Ltd. ("Hitachi"), a corporation domiciled in Japan, agrees to waive
 7 service of the Complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No.
 8 3:13-cv-1877-RS and the State of Florida will mail a copy of the Complaint to Hitachi via
 9 Federal Express (or other global delivery service) at an address in Japan to be provided to the
 10 State of Florida by counsel for Hitachi. The deadline for Hitachi to answer, move to dismiss, or
 11 otherwise respond to the Complaint shall be extended to Monday, January 13, 2014 or 90 days
 12 from receipt by Hitachi of the Complaint delivered in the manner described above, whichever is
 13 later. This stipulation does not constitute a waiver by Hitachi of any defense, including but not
 14 limited to those defenses provided under Federal Rule of Civil Procedure 12.

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 16 13. It is stipulated by and between the undersigned parties, by their respective
 17 attorneys, that undersigned counsel of BOIES SCHILLER & FLEXNER LLP agree to accept
 18 service of the Complaint in *State of Florida v. Hitachi-LG Data Storage, Inc., et al.*, Case No.
 19 3:13-cv-1877-RS on behalf of Sony Optiarc America Inc. ("SOA"). Defendants Sony
 20 Corporation and Sony Optiarc Inc. ("Sony Optiarc") agree to waive service of the Complaint and
 21 the State of Florida will mail a copy of the Complaint to Sony Corporation and Sony Optiarc via
 22 certified mail or United Parcel Service, addressed and delivered to a designated individual in the
 23 Sony Corporation Legal Department in Japan. The deadline for SOA, Sony Corporation, and
 24 Sony Optiarc (collectively, the "Sony/Optiarc Defendants") to answer, move to dismiss, or
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otherwise respond to the Complaint shall be extended to Monday, January 13, 2014 or 90 days from receipt by all Sony/Optiarc Defendants of the Complaint delivered in the manner described above, whichever is later. This stipulation does not constitute a waiver by the Sony/Optiarc Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

Respectfully submitted,

DATED: October 14, 2013

STATE OF FLORIDA

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DATED: October 14, 2013

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DATED: October 14, 2013

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DATED: October 14, 2013

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DATED: October 14, 2013

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SOLUTIONS USA, INC.*

DATED: October 14, 2013

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Counsel for Defendant
LG ELECTRONICS, INC

DATED: October 14, 2013

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DATED: October 14, 2013

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DATED: October 14, 2013

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By: /s/ Robert B. Pringle

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Paul R. Griffin

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DATED: October 14, 2013

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DATED: October 14, 2013

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and SONY OPTIARC, INC*

DATED: October 14, 2013

WINSTON & STRAWN LLP

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By: /s/ Jeffrey L. Kessler

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*PANASONIC CORPORATION; and PANASONIC
CORPORATION OF NORTH AMERICA*

DATED: October 14, 2013

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DATED: October 14, 2013

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Counsel for Defendant
HITACHI, LTD.

Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from the stipulating parties.

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 10/15/13



HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE

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